

### **REMARKS/ARGUMENTS**

In the Office Action, the Examiner rejects Claims 1, 7-10, 27, and 31-33 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,920,487 to Sofer et al. ("Sofer") in view of U.S. Pat. No. 5,365,520 to Wang et al. ("Wang") and further in view of U.S. Pat. No. 6,304,757 to Larsson ("Larsson"). Claims 4, 5, 12, 15-21, 23, 26, 28, and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang, further in view of U.S. Pub. Pat. App. No. 2002/0131404 to Mehta et al. ("Mehta") and further in view of Larsson. Claims 6, 17, and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang, further in view of Mehta and further in view of Larsson. Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang and further in view of U.S. Pat. No. 6,751,454 to Thornton ("Thornton"). Claim 22 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang further in view of Mehta and further in view of Thornton.

Applicants have amended independent Claims 1, 12, 23, and 27 to further patentably distinguish the cited references. Several dependent claims have also been amended in light of the amendments to the independent claims. Claims 4-5, 15-16, and 28-29 have been cancelled. New claims 76-82 have been added and are patentably distinct from the cited references for the same reasons as discussed herein and are fully supported by the specification. Therefore, in light of the amendments and subsequent remarks, Applicants respectfully submit that the claims are in condition for allowance

#### **The Rejection of Independent Claims 11 and 27 Under §103(a) is overcome**

The Examiner finds that independent Claims 1 and 27 are obvious in light of Sofer in view of Wang and further in view of Larsson. Independent Claims 1 is directed to a method and has been amended to recite receiving a call of a service dialed number from a mobile device and determining, from the call, a subscriber identifier. The method further includes terminating the call upon receipt of the service dialed number, and prior to the call being answered. Upon the call being terminated, the method additionally includes selecting a response to the call based upon the service dialed number, the service

dialed number containing at least a first segment and a second segment, the first segment representing a unique code used by the mobile operator to route the call and the second segment representing a unique code that identifies the service. The method further recites determining, based upon the subscriber identifier, a set of capabilities of the mobile device and selecting, based upon the set of capabilities, a two-way dialog format, through which the mobile device is capable of communicating. The method additionally recites initiating a dialog based upon the selected two-way dialog format between a server identified by the first segment upon the selecting and the mobile device, after the call has been terminated, based on the selected response and the determined subscriber identifier. Claim 27 includes substantially similar recitations and is directed to a machine-readable medium.

Sofer describes a method and system for routing a phone call based upon a "short code" to a service provider (Sofer, Column 3, lines 11-22). For example, when a user enters a code, such as "8472" for VISA, the short code is matched with VISA's phone number in a database (Sofer, Column 6, lines 6-34). The user's phone call is then routed to VISA using VISA's phone number. When a user is roaming, a short code may collide with an identical short code that points to a different number (Sofer, Column 6, lines 36-42). In this case, either a default routing choice is used to route the call, or a user may interactively choose which route the call will take (Sofer, Column 6, lines 36-42). In either case, a user's connection is maintained so that an active call can eventually be routed by the system of Sofer to its destination.

Wang describes routing device communication through a constellation of satellites utilizing specific message packets (Wang, Column 5, lines 35-59). The communications system described by Wang is packet based, where each packet includes pieces of information such as location of message receiver, location of message sender, characterization of the content, and content (Wang, Figures 6-9; Column 12, lines 12-35). The packets described by Wang merely illustrate the form of packet based data transmission.

Larsson describes updating a database with a current location of a subscriber device by placing a call to a phone system (Larsson, Column 8, lines 45-60). However, to avoid incurring a charge for providing an information update, the call is noted by a

telephone exchange without answering the call (Larsson, Column 8, lines 53-57).

In order to further patentably distinguish the cited references, Applicants have amended independent Claims 1 and 27 to recite determining, based upon the subscriber identifier, a set of capabilities of the mobile device and subsequently selecting, based upon the set of capabilities, a two-way dialog format, through which the mobile device is capable of communicating. In this regard, a subscriber identifier may be associated with a set of device capabilities, which may be stored in a database. This set of device capabilities may indicate various two-way communication protocols which the mobile device is capable of using. A two-way dialog format that the mobile device is capable of using is then selected and a dialog is then imitated between a server and the mobile device based upon the selected two-way dialog format. See, e.g. paragraphs 56-58 of the present application. None of Sofer, Wang, and Larson, taken alone or in combination, teaches or suggests these added recitations.

These added recitations are similar to those included in now-canceled dependent Claims 4 and 5. The Examiner relies on Mehta in combination with Sofer, Wang, and Larsson in rejecting Claim 5. Briefly, Mehta describes a method and system for maintaining and distributing wireless applications. Mehta discloses a system comprising a collection of interoperating server components that provide applications and resources to mobile subscriber devices. In this regard, Mehta discloses that the system may retrieve a subscriber device profile to determine compatible file formats for the identified subscriber device so that packaged applications may be provided to the device. As described by Mehta, the determination of compatible file formats may be a determination of whether the device is capable of reading compressed files, such as compressed JAR files for Java-enabled devices (Mehta, paragraph 148).

Accordingly, Mehta at most, discloses determining based upon a subscriber device profile a file format which a mobile device is capable of reading, such as compressed JAR files. As such, Mehta does not disclose determining and selecting a two-way dialog format through which the mobile device is capable of communicating based upon the subscriber identifier as recited by independent Claims 1 and 27.

Applicants therefore submit that none of the cited references, taken alone or in combination, teach or suggest the recitations of independent Claims 1 and 27. Therefore,

the claims are patentably distinct from the cited references and the rejection is overcome.

The Rejection of Independent Claims 12 and 23 Under §103(a) is overcome

The Examiner finds that independent Claims 12 and 23 are obvious in light of Sofer in view of Wang, further in view of Mehta and further in view of Larsson. Claims 12 and 23 are directed to a system and machine-readable medium, respectively. As amended, Claims 12 and 23 include recitations substantially similar to those of Claims 1 and 27 as discussed above. Accordingly, Applicants respectfully submit that independent Claims 12 and 23 are patentably distinct from the cited references, taken alone or in combination, for at least the reasons discussed above and the rejection is overcome.

New Claims 76-82 are in Condition for Allowance

Applicants have added independent Claim 76 directed to an apparatus comprising a processor as well as Claims 77-82 depending therefrom. Claim 76 includes substantially the same recitations as independent Claim 1 and Applicants therefore submit that it is patentably distinct from the cited references, taken alone or in combination, for at least the reasons discussed above.

The Rejection of the Dependent Claims is Overcome

Because the dependent claims include each of the recitations of a respective independent claim, Applicants further submit that the dependent claims are distinguishable from the cited references, taken alone or in combination, for at least those reasons discussed above.

### CONCLUSION

In view of the amended claims and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Charles A. Leyes  
Registration No. 61,317

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

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